

**REMARKS**

Claims 1-3 and 5-16 remain pending in the application.

**Objection of Claim 14**

The Office Action objected to claim 14 as allegedly failing to further limit subject matter of a previous claim.

Claim 14 is canceled herein making the objection now moot.

**Allowed Claims 6-13, 15 and 16**

The Applicants thank the Examiner for the indication that claims 6-13, 15 and 16 are **allowed**.

**35 USC 112 Rejection of Claims 1-3 and 5**

The Office Action rejected claims 1-3 and 5 under 35 USC 112, first paragraph. In particular, the Office Action alleged that Claims 1-3 and 5 lack an asserted utility or a well established utility.

A thorough reading of 35 USC 112, first paragraph fails to reveal a requirement that a claim recite an asserted utility or a well established utility. Nevertheless, claims 1-3 and 5 are amended here to recite at least one of a transmitter and a receiver to receive the recited data frames. Thus, claims 1-3 and 5 are amended to recite application to at least one of a transmitter and receiver. The Applicants respectfully request that the rejection of claims 1-3 and 5 under 35 USC 112, first paragraph, be withdrawn.

**Claims 1-3 and 5 over Kojima**

Claims 1-3 and 5 were rejected under 35 USC 102(b) as allegedly being anticipated by U.S. Pat. No. 5,886,999 to Kojima ("Kojima"). The Applicants respectfully traverse the rejection.

Claims 1-3 and 5 recite at least one of a transmitter to transmit and a receiver to receive a transmitted plurality of time slot based data frames, wherein less than all, but more than one, of the plurality of time slot based data frames, **as transmitted**, including a sync word.

The Examiner points to Kujima at col. 6, line 39-col. 7, line 27 to disclose a plurality of predetermine number of synchronous words are not detected in a predetermine period. However, claims 1-3 and 5 are **NOT** directed toward detected data frames **BUT** transmitted data frames.

Moreover, Kujima discloses a sync word SWV, SWA and SWM as are applied to a head of a video portion VDT, an audio portion ADT and other media data portions MDT, respectively (See col. 6, lines 43-56). Thus, Kujima discloses that a sync word is applied to **EVERY** transmitted data frame **NOT** less than all, but more than one, of a plurality of time slot based data frames, **as transmitted**, as recited by claims 1-3 and 5.

Moreover, claims 1-3 and 5 recite a sync word at a beginning of a plurality of time slot based data frames.

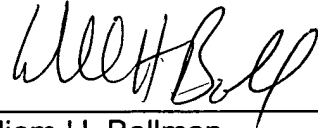
As discussed above, Kujima discloses a sync word SWV, SWA and SWM as are applied to a head of a video portion VDT, an audio portion ADT and other media data portions MDT, respectively. Thus, Kujima's sync words are associated with video data , audio data and other media data **WITHIN** a data frame **NOT** disclosing a sync word at a beginning of a plurality of time slot based data frames, as recited by claims 1-3 and 5.

For at least these many reasons, claims 1-3 and 5 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

**Conclusion**

All rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'William H. Bollman', written over a horizontal line.

William H. Bollman  
Reg. No. 36,457

**MANELLI DENISON & SELTER PLLC**

2000 M Street, NW 7<sup>TH</sup> Floor  
Washington, DC 20036-3307  
TEL. (202) 261-1020  
FAX. (202) 887-0336  
WHB/df